UNITED NATIONS SPECIAL COMMISSION

Establishment and Composition

By its resolution 687 (1991) of 3 April 1991, the United Nations Security Council established the terms and conditions for a formal cease-fire between Iraq and Kuwait and the Member States cooperating with Kuwait. Section C of this resolution deals with the elimination, under international supervision, of Iraq's weapons of mass destruction and ballistic missiles with a range greater than 150 kilometres (km), together with the related items and facilities. It also calls for measures to ensure that acquisition and production is not resumed. The resolution recommended the establishment of a special commission to implement these provisions. The precise terms are laid out in paragraphs 7-13 of that resolution.

On 18 April 1991, after Iraq had formally accepted the provisions of resolution 687, the Secretary-General submitted to the Security Council his report regarding the establishment of the United Nations Special Commission (UNSCOM). Following acceptance by the Council of the report on 19 April, the Secretary-General appointed Ambassador Rolf Ekéus (Sweden) as the Executive Chairman of UNSCOM and Mr. Robert Gallucci (United States) as the Deputy Executive Chairman. On 1 May, the Secretary-General appointed 19 other members of the Commission, from Australia, Austria, Belgium, Canada, China, Czechoslovakia, Finland, France, Germany, Indonesia, Italy, Japan, Netherlands, Nigeria, Norway, Poland, Soviet Union (now Russian Federation), United Kingdom and Venezuela. On 5 February 1992, Mr. Robert Gallucci left the Special Commission to take up another position. He was replaced as Deputy Executive Chairman by Ambassador Michael Newlin (United States).

Mandate

UNSCOM's mandate is the following: to carry out immediate on-site inspections of Iraq's biological, chemical and missile capabilities; to take possession for destruction, removal or rendering harmless of all chemical and biological weapons (CBWs) and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities; to supervise the destruction by Iraq of all its ballistic missiles with a range greater than 150km and related major parts, and repair and production facilities; to assist the Secretary-General in developing a plan for the future ongoing monitoring and verification of Iraq's compliance with its undertaking not to use, develop, construct or acquire any of the items specified above.

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The Commission is also required to assist and cooperate with the Director-General of the International Atomic Energy Agency (IAEA), which, under resolution 687, has been requested to undertake activities similar to those of UNSCOM but specifically in the nuclear field. Further, the Commission is entrusted to designate for inspection any additional site necessary for ensuring the fulfilment of the mandates given to UNSCOM and to IAEA.

Organization

Full sessions of the members of the Commission are held from time to time to discuss policy issues and to assess the results of operations to date. In addition, a Chemical Weapons Destruction Advisory Panel was established from among the known experts in the Commission to draw up policy guidelines on the destruction of Iraq's chemical weapons.

Following the establishment of UNSCOM as a subsidiary organ of the Security Council, the Office of the Executive Chairman of the Special Commission - a small, full-time office to assist the Executive Chairman in the exercise of his functions - was set up at United Nations Headquarters in New York, with field offices in Bahrain and Baghdad. Day-to-day planning and operations of the Special Commission are carried out, under the direction of the Executive Chairman, from New York. The Bahrain office serves as the assembly point for inspection teams, while the Baghdad office provides the required communications and logistical support in the field.

UNSCOM staff have been provided by Member States, the United Nations Secretariat, in particular the Office for Disarmament Affairs, and the World Health Organization (WHO). Inspection teams have

consisted of personnel made available by Governments, members of the Commission, the United Nations Secretariat, WHO and, in the nuclear field, of inspectors and staff of IAEA. The nuclear teams are organized by IAEA, with the assistance and cooperation of the Special Commission. The inspectors are selected on the basis of their technical qualifications and expertise with due regard to drawing them from as many Member States as possible within the range of available capabilities and experience. By the end of May 1992, 369 individuals from 35 countries had served on inspection teams.

Operational Activities

Three-stage process

The implementation of section C of resolution 687 involves a three-stage process:

(a) an inspection and survey phase to gather the information necessary to make an informed assessment of Iraq's capabilities and facilities in the nuclear, chemical, biological and ballistic missile fields;

(b) the disposal of weapons of mass destruction, facilities and other related items through destruction, removal or rendering harmless and the destruction of ballistic missiles with a range greater than 150km, including launchers, other items and repair and production facilities;

(c) long-term monitoring to ensure ongoing verification of Iraq's compliance with its obligations under paragraph 10 of resolution 687 in accordance with the plans prepared by the Special Commission and IAEA and approved by the Security Council in its resolution 715 (1991).

Inspection phase

Iraq is obliged to submit to the United Nations information on the locations, amounts and types of all proscribed items, which are to be destroyed, removed or rendered harmless. The Special Commission is responsible for designating for immediate on-site inspection any additional location in Iraq in relation to these items.

By the end of May 1992, 37 inspection missions had been fielded by UNSCOM and IAEA. Twenty four of these missions were related to non-nuclear matters: eleven chemical (including two destruction), two biological, and eleven ballistic missile. Twelve nuclear inspections were undertaken by IAEA with the assistance and cooperation of the Special Commission. In addition, there was an inspection of a computer centre in connection with the suspected use of its computers for prohibited activities. Currently, two further inspections are under way; one joint biological/chemical and the long-term chemical destruction group, expected to continue for 12 months or more. Surveillance activities are conducted by high altitude aircraft and helicopters on an ongoing basis.

The inspections undertaken have had to be energetic, rigorous and intrusive because of Iraq's failure to adopt the candid and open approach to the full, final and complete disclosure of all aspects of its weapons programmes called for in resolution 687. According to the 25 October 1991 report by the UNSCOM Executive Chairman, "while cooperation from Iraq has generally been forthcoming at the field level - most notably in the chemical and to a degree in the biological areas - in relation to activities and resources declared by Iraq, a totally different attitude of non-cooperation, concealment and sometimes false information has emerged in relation to non-declared activities, resources and sites that have been designated by the Special Commission on the basis of its own assessments or of data supplied to it by States".

This situation led to the adoption of Security Council resolution 707 (1991) of 15 August 1991, by which the Council condemned Iraq's "serious violation" of a number of its obligations under section C of resolution 687 and of its undertakings to cooperate with the Special Commission and IAEA, and presented a list of nine specific demands to Iraq.

In his 7 March 1992 report, the UNSCOM Executive Chairman stated: "while some additional information on Iraq's programmes for the production of weapons of mass destruction had been obtained ... this had to be done through a procedure of question and answer. The Special Commission was convinced that such a procedure could not result in the detection of as yet undeclared elements of the Iraq programmes and that its usefulness had been exhausted. Information on such elements was essential for a full understanding of Iraq's programmes and could only be obtained if Iraq met its obligations under Council resolution 707 (1991) to provide full, final and complete disclosure of its programmes."

Notwithstanding the above, on 11 March 1992 the Deputy Prime Minister of Iraq, Mr. Tariq Aziz, told

the Security Council that Iraq was "no longer in possession of any of the weapons, munitions or major or minor systems prohibited by resolution 687" and that "the equipment used, or allegedly used, in producing such items has been identified". However, this statement was not accepted by the Council, which called on Iraq to fulfil all its obligations arising from relevant Security Council resolutions.

In discussions held on 12 and 13 March 1992 between officials from UNSCOM and the Iraqi delegation to the Security Council meeting, Iraq promised to deliver the full, final and complete disclosures in early April 1992. This promise was followed, on 19 March 1992, by new Iraqi declarations concerning large numbers of ballistic missiles, chemical weapons and associated equipment and vehicles that Iraq had not previously declared as required and which it claimed to have destroyed in the summer of 1991, in contravention of its obligation to hand over such items to UNSCOM for destruction under the latter's supervision. UNSCOM inspection teams have since substantially verified these declarations.

On 10 June 1992, Iraq finally provided the Commission with full, final and complete reports on each of the weapons programmes covered by resolution 687 (1991). This was followed on 27 June 1992 by Iraq's initial declarations due under the ongoing monitoring and verification plans. These declarations were respectively 10 months and 7 months late. The Commission is currently studying the adequacy of the declarations.

Despite obstacles placed in the way by Iraq, UNSCOM and IAEA have been able to compile much information about Iraq's capabilities and facilities in all the areas concerned.

Nuclear field. In the nuclear field, the IAEA/UNSCOM inspections have uncovered three clandestine uranium enrichment programmes or activities: electromagnetic, centrifuge and chemical isotope separation, as well as laboratory-scale plutonium separation. The sixth nuclear inspection led to the conclusive evidence of a nuclear weapons development programme, aimed at an implosion-type nuclear weapon possibly linked to a surface missile project. Subsequent inspections have continued to reinforce and extend the discoveries made, particularly in the nuclear weapons development area. The Iraqi authorities continue to refuse to surrender procurement information related to nuclear materials and equipment or to accept Security Council resolution 715 (1991) and the long-range monitoring plan adopted thereunder.

Chemical field. Iraq has so far acknowledged possession of nearly 150,000 filled and unfilled munitions, 350 tonnes of bulk agent and 3,000 tonnes of precursor chemicals that will need to be destroyed. Iraq's facilities include the substantial chemical weapons production complex of the Al Muthanna State Establishment. There were also plans for three additional chemical weapons-related production plants in the Al Fallujah area. In addition to the central storage of filled chemical munitions, warfare agents and precursor chemicals in bulk at Al Muthanna, filled chemical munitions, often damaged and leaking, were stored at various sites throughout the country. Those which were judged safe to move have been transported to Al Muthanna, which has been designated as the central location for the destruction of Iraq's chemical weapons. Those which could not be moved have been earmarked for destruction on site.

Biological field. In the area of biological weapons capabilities, inspection activities initially focused on the major research and development site at Salman Pak, but over 12 additional sites have now been inspected. Conclusive evidence that Iraq was engaged in an advanced military biological research programme has been collected. No evidence of actual weapons production has been found, but the inspections yielded a sound data base for future monitoring of biological capabilities in Iraq. The unilateral levelling by Iraq of the biological weapons facility at Salman Pak just before the arrival of the first biological weapons inspection team prevented UNSCOM from obtaining more detailed information on the precise scope of activities conducted in this area.

In addition, over 20 inspections have been conducted at undeclared sites for the purpose of investigating storage facilities for chemical and biological weapons.

Ballistic missiles. UNSCOM inspection teams have supervised the destruction of 151 ballistic missiles, 19 mobile launchers, 76 warheads, 113 conventional warheads for SCUD-variant missiles, 9 conventional warheads for Al-Fahd missiles, more than 130 missile storage supports and a number of support vehicles, a substantial amount of rocket fuel, 28 operational fixed Al Hussein missile launch pads and a further 32 fixed launch pads under construction and at various stages of completion, 11 decoy missiles, 9 SCUD decoy vehicles, an assembled 350-millimetre supergun, incomplete component sets for two 350- and two 1,000-millimetre superguns, and one tonne of supergun propellant. Additional chemical warheads for ballistic missiles have been found and designated

for destruction upon completion of the chemical destruction plants. Inspections have also revealed an advanced indigenous capability for the modification of SCUDs into longer range missiles, together with a programme for the completely indigenous production of such modified SCUD missiles, a programme for a two-stage ballistic missile (BADR-2000) with a range of 1000km for a payload of 1 tonne, and a programme for an indigenous three-stage space launch vehicle (Al-Abid). Had these programmes reached fruition, Iraq would have had the capability to deliver over a long range a variety of different payloads, including nuclear, chemical and conventional.

However, further work is required to obtain a full accounting of Iraq's missile capabilities before the Special Commission can certify that all proscribed items have been identified. A recent inspection team discovered items which, because of their relevance to resolution 687, need to be investigated further so that a decision can be made as to their future destruction, monitoring or use. Furthermore, Iraq's declaration of 19 March 1992 (that it had unilaterally destroyed, in the summer of 1991, previously undeclared ballistic missiles and numerous chemical munitions) demonstrates that Iraq has had the ability and the will to conceal information and evidence from the Commission in the past. This emphasizes the need for intrusive inspections to continue.

Destruction of weapons and equipment

The second phase of UNSCOM activities is the disposal of proscribed weapons, facilities and items. Given the different nature of the weapons, material and facilities involved, separate procedures, with teams specifically assembled for the given tasks, are envisaged for each category.

With regard to chemical weapons destruction - a particularly difficult and hazardous area - the Chemical Weapons Destruction Advisory Panel has submitted three substantive reports. Small fact-finding missions also visited Baghdad in August and November 1991 for detailed technical discussions with the competent Iraqi authorities on Iraq's role in the destruction of the chemical weapons munitions, agents, precursors and intermediates. Destruction of the majority of the filled munitions and bulk agents will be undertaken at Al Muthanna, starting in mid-1992 and continuing into 1993. Construction there of facilities at which to destroy chemical agents by hydrolysis or incineration is now advanced. The advance party of the chemical destruction group is currently in Iraq making preparations for full-scale destruction activities. To date, 11,867 unfilled chemical munitions and 430 sarin-filled or partially filled 122mm rockets have been destroyed by Iraqi personnel under the supervision of the Special Commission. Preparations are also underway to start destruction of equipment and facilities associated with Iraq's chemical weapons programme.

Regarding ballistic missiles, in addition to the items listed above, Iraq has destroyed, under the supervision of the Special Commission, a significant number of buildings and equipment used or intended to be used for activities prohibited under resolution 687.

In the nuclear field, the Special Commission is assisting IAEA in the removal of weapons-usable material from Iraq and in the disposal of all other relevant items and facilities covered by paragraph 12 of resolution 687, by destruction, removal or rendering harmless, as appropriate. The fresh uranium fuel for Iraq's nuclear reactors has already been removed from Iraq and arrangements are being made for the removal and reprocessing of irradiated fuel.

Compliance monitoring

The third stage represents a long-term operation. Its main purpose is to ensure ongoing monitoring and verification of Iraq's compliance with its unconditional obligations not to use, retain, possess, develop, construct or otherwise acquire any weapons or related items prohibited under section C of resolution 687.

As requested in the resolution, the Secretary-General and the IAEA Director-General submitted to the Security Council two separate but closely coordinated plans for compliance monitoring. By approving the plans, under its resolution 715 (1991) of 11 October 1991, the Council mandated the Special Commission to implement the plan for ongoing monitoring and verification of permitted chemical, biological and ballistic missiles activities. The Council also requested the Commission to assist and cooperate with IAEA in implementing the plan for ongoing monitoring and verification in the nuclear field.

Under the plans, Iraq is obliged to provide, on a regular basis, full, complete, correct and timely information on activities, sites, facilities, material or other items, both military and civilian, that might be used for purposes prohibited under resolutions 687 and 707. Furthermore, the Special Commission and IAEA have the right to carry out inspections, at any time and without hindrance, of any site, facility, activity, material or other items in Iraq. They may conduct unannounced inspections and inspections at short notice. They may inspect on the ground or by aerial surveillance any number of declared or designated sites or facilities.

Both plans entered into force immediately upon their approval by the Security Council on 11 October 1991. Iraq has failed to state its recognition of, or act upon its obligations under, resolution 715 or the plans. It has failed to meet its first two reporting deadlines of 10 November 1991 and 15 January 1992. The Executive Chairman of the Special Commission stated, in his report of 7 March 1992 to the Security Council, that "in respect of Council resolution 715 (1991), and the plans for ongoing monitoring and verification approved thereunder, Iraq was maintaining the position stated in a letter to the President of the Security Council ... which constituted an apparent rejection of the plans and thus of the resolution ... If this situation persists ... the Special Commission will neither be legally or practicably able to initiate the programme for ongoing monitoring and verification of Iraq's compliance with its obligations under section C of Security Council resolution 687 (1991)." Iraq's failure to act upon this resolution was again brought to the attention of the Council on 10 April 1992 in the first six-monthly report on the implementation of the plan for ongoing monitoring and verification.

Meeting on 11-12 March 1992, the Security Council demanded that Iraq meet all its obligations, including those arising from resolution 715 and the plans for ongoing monitoring and verification approved by the Council. On 27 June 1992, seven months overdue, Iraq submitted to UNSCOM initial declarations concerning non-nuclear activities needing monitoring. However, in the covering letter, Iraq -- in keeping with the statement of its Minister of State for Foreign Affairs in the letter dated 26 May 1992 to the President of the Security Council that Iraq only acknowledges its readiness to permit ongoing monitoring and verification activities under resolution 687 -- insisted that ongoing monitoring and verification activities be conducted on a basis acceptable to Iraq, i.e. not necessarily in accordance with the plans adopted under resolution 715. Furthermore, the 26 May letter contained "demands that practical guarantees be agreed ... [concerning] the measures and methods of ongoing monitoring". The United Nations plan for ongoing monitoring and verification contains explicit methods for implementation which were approved by the Council under Chapter VII of the United Nations Charter. They are therefore mandatory.

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